(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

MISC. CIVIL APPLICATION NO. 830 OF 2004 IN

FIRST APPEAL NO. 63 OF 2002

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. V.A. Lawande, Advocate for the applicants..

Mr. E. Afonso, Advocate for the respondents.

CORAM : B.H. MARLAPALLE &
N.A. BRITTO, JJ.
DATE : 15th December, 2004.

P.C.

This is an application for withdrawal of the amount of Rs.1,76,327/- which is the 50 % share of both the applicants together, on the basis of the Award passed by the Land Acquisition Officer.

2. First Appeals No. 63/2002 and 75/2002 are pending before this Court for final hearing and in the said appeals, an amount of Rs.44,74,383/- was deposited. The learned Counsel

for the applicants contends that all other claimants have been allowed to withdraw 50 % of their share and, therefore, he prays that the applicants be also allowed to withdraw. Mr. E. Afonso does not dispute the fact that all other claimants have been allowed to withdraw 50 % of their share from the deposited amount and, therefore, the claim of the present applicants will have to be also allowed on the same terms and conditions.

3. The application is, therefore, allowed and the applicants are allowed to withdraw the amount of Rs.1,76,327/- on the same terms and conditions, as other claimants have been allowed to withdraw.

B.H. MARLAPALLE, J.

N.A. BRITTO, J.

ssm.